

SUSAN M. COLLINS, MAINE, CHAIRMAN

TED STEVENS, ALASKA
GEORGE V. VOINOVICH, OHIO
NORM COLEMAN, MINNESOTA
TOM COBURN, OKLAHOMA
LINCOLN CHAFFEE, RHODE ISLAND
ROBERT F. BENNETT, UTAH
PETE DOMENICI, NEW MEXICO
JOHN WARNER, VIRGINIA

JOSEPH I. LIEBERMAN, CONNECTICUT
CARL LEVIN, MICHIGAN
DANIEL K. AKAKA, HAWAII
THOMAS R. CARPER, DELAWARE
MARK DAYTON, MINNESOTA
FRANK LAUTENBERG, NEW JERSEY
MARK PRYOR, ARKANSAS

MICHAEL D. BOPP, STAFF DIRECTOR AND CHIEF COUNSEL
JOYCE A. RECHTSCHAFFEN, MINORITY STAFF DIRECTOR AND COUNSEL

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

September 28, 2005

Lieutenant General Carl A. Strock
Commander and Chief of Engineers
U.S. Army Corps of Engineers
Headquarters
441 G Street, NW
Washington, DC 20314

Dear General Strock:

Pursuant to its authority under Rule XXV(k)(1) of the Standing Rules of the Senate, Section 101 of S. Res 445 (108th Congress), and Section 11(e) of S. Res 50 (109th Congress), the Committee on Homeland Security and Governmental Affairs has initiated an investigation into the Nation's preparedness for, and response to, Hurricane Katrina. To aid in the Committee's investigation, we request that you provide (in accordance with the attached instructions and definitions) the following information and documents:

1. Describe each of the ACOE's roles, responsibilities and authorities in providing any emergency support function under the National Response Plan. With respect to each specific role, responsibility or authority, please identify:
 - a. The statutory, regulatory or other source for that role, responsibility or authority;
 - b. The component or components within the ACOE involved in acting pursuant to that authority or discharging that role and responsibility;
 - c. The key personnel involved in acting pursuant to that authority or discharging that role and responsibility.

To the extent that sources identified in response to subpart (a) are not publicly available, please provide copies of them.

2. To the extent not provided in response to the previous question, please describe any other roles, responsibilities and authorities of the ACOE in preparing for, and responding to, a domestic emergency. With respect to each specific role, responsibility or authority, please identify:
 - a. The statutory, regulatory or other source for that role, responsibility or authority;
 - b. The component or components within the ACOE involved in acting pursuant to that authority or discharging that role and responsibility;
 - c. The key personnel involved in acting pursuant to that authority or

discharging that role and responsibility.

To the extent that the sources identified in response to subpart (a) are not publicly available, please provide copies of them.

3. To the extent that the ACOE's regulations, protocols, practices or procedures provided for one, describe the command structure the ACOE was supposed to utilize or establish to respond to a national emergency as of August 23, 2005. Please include both headquarters and field offices in your description.
4. Describe the assets available to the ACOE to fulfill the roles or responsibilities cited in response to question (1) and the location of those assets.
5. Identify and provide copies of all emergency, contingency, operations, concept of operations, continuity of operations or other plans in effect as of August 23, 2005 for the ACOE or any of its components, including Gulf Coast regional offices and facilities thereof for near-term preparation for, and response to, domestic emergencies, including but not limited to Incidents of National Significance pursuant to the National Response Plan, Emergency, Major Disaster Declarations pursuant to the Stafford Act, obligations as required by the Department of Defense, or similar plans pursuant to any of the authorities identified in response to question (1).
6. Identify and provide copies of all after-action reports or other assessments prepared over the past five years under the direction of, or under contract through, the ACOE assessing the performance of ACOE elements, personnel, or programs in response to domestic emergencies, or exercises related to preparation for such emergencies, including but not limited to previous hurricanes.
7. Identify all ACOE personnel with significant responsibility for emergency preparedness and response who have not already been identified in response to a previous item and describe their responsibilities.
8. Identify the element or office within the ACOE that is responsible for monitoring the status of hurricane warnings and other threats and informing the ACOE of such impending threats. Please identify key individuals within that element or office.
9. Detail how and when the ACOE was first informed of the following events. Please be specific as to dates, times and personnel involved:
 - a. That it would have to take action to prepare for, or respond to, Tropical Storm or Hurricane Katrina;
 - b. That the President issued emergency declarations for Louisiana, Mississippi and Alabama with respect to Hurricane Katrina;
 - c. That the President issued major disaster declarations for Louisiana, Mississippi and Alabama with respect to Hurricane Katrina;

- d. That Hurricane Katrina was an Incident of National Significance;
- e. That the National Response Plan was activated.

10. Describe the command structure the ACOE actually utilized or established to respond to Hurricane Katrina. Please include both headquarters and field offices in your description, identify key personnel at each level of the command structure, and provide contact information for those personnel. Please note whether the structure or personnel changed during the course of the ACOE's response.

11. Identify any standing or regular conference calls or meetings in which the ACOE participated during its preparation for, and response to, Katrina. Describe the purpose of the call or meeting, and identify all regular participants. Please provide copies of any and all documents of all such calls and meetings.

12. Please describe all actions the ACOE took to pre-position or pre-deploy ACOE assets to respond to Hurricane Katrina and the specific authority under which the ACOE took each such action. Please be specific with respect to the dates the actions occurred, the personnel and components involved, the location of the pre-positioning or pre-deployment, and the assets involved.

13. Provide documents detailing the technical specifications of the levees, canals, and any other barrier or structure designed, built or maintained by the ACOE in Orleans Parish, Jefferson Parish, St. Bernard Parish and Plaquemines Parish, Louisiana, specifically with regard to their ability to maintain their structural integrity and not fail.

14. Provide any and all documents, studies, modeling, cost estimates, project budgets and communications related thereto regarding the ability of all levees, canals, pumps and any other barrier, structure or facility built or maintained by the ACOE in whole or in part in the parishes listed in question (13) to protect those parishes from major floods or hurricanes and accompanying storm surges which occurred or were produced since January 1, 1998.

15. Identify any contractor(s) (or sub-contractor(s)) employed by the ACOE to build, construct or maintain all hurricane protection levees, canals and any other related barrier or structure in the parishes listed in question (13) since January 1, 1998, and provide copies of all contracts, agreements and invoices related to same.

16. Identify any agreements between the ACOE and any local authority, including all levee boards and levee districts, regarding the construction and maintenance of all levees, canals and any other barrier or structures in the parishes listed in question (13) in effect as of August 29, 2005.

17. Identify and provide any and all documents regarding the ACOE's decision to install what the ACOE calls "I-wall" barriers rather than "T-wall" barriers on the levees in the parishes listed in question (13).

18. Provide any and all documents containing internal ACOE reports about the conditions of the

levees in the parishes listed in question (13) created from August 23 through September 6, 2005.

19. How and when did the ACOE first learn that levees and other storm surge barriers were compromised in the parishes listed in question (13) on or about August 29, 2005?

20. Identify who first learned of the compromises and describe actions taken in the ensuing hour.

21. Identify and provide any and all documents and communications reflecting how and when the ACOE first learned that levees and other storm surge barriers were compromised in the parishes listed in question (13) on or about August 29, 2005.

22. Identify and provide all communications and documents related thereto between the ACOE and other State and Federal agencies, including the Federal Emergency Management Agency, regarding notification that levees and other storm surge barriers were compromised in the parishes listed in question (13) on or about August 29, 2005.

23. Provide all documents relating or referring to any consideration of the installation of devices capable of monitoring remotely the levees and other storm surge barriers in the parishes listed in question (13).

24. Identify all actions taken by the ACOE, including all contractors (or sub-contractor(s)) employed by the ACOE, to repair the levees and other barriers that were compromised in the parishes listed in question (13) on or about August 29, 2005.

25. Identify and provide all documents related to the involvement of the ACOE in the Louisiana Catastrophic Hurricane Planning Project that began in 2004, including, but not limited to, the "Hurricane Pam" exercise conducted by State and Federal agencies in 2004.

26. Identify and provide all documents related to the Hurricane Protection, Louisiana study as designated in House Report 108-357, Making Appropriations for Energy and Water Development for the FY Ending September 30, 2004, including, but not limited to, all documents related to any subsequent feasibility study and the implementation of the results of that study.

27. Identify and provide all documents related to the Lake Pontchartrain Vicinity Hurricane Protection Project that assessed and evaluated the structural integrity and capabilities of the 17th Street and the London Street Canal levees in Orleans Parish, Louisiana.

28. Identify and explain the factors and calculations involved in the cost-benefit analysis performed by the ACOE since January 1, 1998, when evaluating whether to proceed with a proposed project.

29. Identify and provide all documents relating to the application of the ACOE's cost-benefit analysis identified in question (28) to all flood control or hurricane protection projects in St. Bernard Parish, Jefferson Parish, and Orleans Parish, Louisiana.

30. Identify and describe each request for assistance received by the ACOE or assistance independently provided by the ACOE related to Tropical Storm or Hurricane Katrina continuing through September 6, 2005. For each request, please specify:

- a. The date and time it was received;
- b. Who received it;
- c. Who lodged the request;
- d. The assistance requested;
- e. The ACOE's response to the request;
- f. The legal authority under which the ACOE acted in response to the request;
- g. Whether questions regarding reimbursement arose and, if they did, whether these issues in any way delayed or affected the response;
- h. The date and time orders were issued to fulfill the request;
- i. The entity within the ACOE tasked to provide the assistance;
- j. The key personnel involved in processing and responding to the request; and
- k. The date and time the requested assistance was actually provided.

Provide copies of the documentation making such requests and all communications related thereto between the ACOE and the requesting entity, within the ACOE, between the ACOE and any other officer or personnel of the Executive Branch, or between the ACOE and any entity supporting the ACOE in this activity, including but not limited to governmental agencies and contractors.

31. Identify the names, titles, roles, and contact information of the ACOE personnel who were present in the state's Emergency Operations Center ("EOC") in Baton Rouge from August 23 through September 6, 2005.

32. Please describe the protocols and methods used to disseminate information from ACOE personnel in the EOC in Baton Rouge to other agencies then present in the state's EOC from August 23 through September 6, 2005.

33. Identify and describe each request for assistance or response action initiated by the ACOE related to Tropical Storm or Hurricane Katrina continuing through September 6, 2005. For each request, please specify:

- a. The date and time it was made;
- b. The entity within the ACOE and key personnel involved in making the request (with their contact information); and, if known, responding to the request;
- c. The legal authority upon which the request was made;
- d. The assistance requested;
- e. The response to the request;
- f. The date and time orders were issued to fulfill the request;
- g. Whether questions regarding reimbursement arose and, if they did, whether these issues in any way delayed or affected the response; and
- h. The date and time the requested assistance was actually provided.

Provide copies of the documentation making such requests and all communications related thereto between the ACOE and the receiving entity, within the ACOE, between the ACOE and any other officer or personnel of the Executive Branch, or between the ACOE and any entity supporting the ACOE in this activity, including but not limited to governmental agencies and contractors.

34. Describe all incidents during the ACOE's preparation for, or response to, Tropical Storm or Hurricane Katrina that any officials or personnel of the U.S. Government expressed concern about whether the ACOE had the authority it needed to take an action it either wanted to take or was asked to take. Please be specific as to:

- a. The action in question;
- b. The nature of the concern;
- c. Who questioned raised the concern;
- d. Who was involved in addressing the concern;
- e. When the concern was raised and when it was involved;
- f. The manner in which the concern was resolved;
- g. Whether the action ultimately occurred; and
- h. Whether the action was delayed or limited as a result of the concern.

35. Identify and provide any and all documents related to the policy, planning and guidance for port re-openings in Alabama, Mississippi, and Louisiana. These documents include, but are not limited to, emergency aids to navigation repairs, and salvage and removal of wrecks.

36. Identify and provide copies of all evacuation studies, whether final or in draft form, funded or conducted by the ACOE (or at its request) with regard to the City of New Orleans.

37. Provide an organizational chart of the ACOE and any of its components involved in emergency preparedness or response to Hurricane Katrina. Identify the current occupant of all key positions.

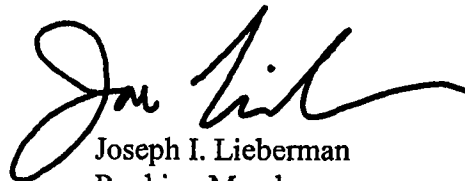
We request that these documents and information be provided as they become available but no later than October 27, 2005. If you or your staff have any questions concerning this request please contact Tom Eldridge of the Committee's majority staff at 202-224-4751 or Mike Alexander of the Committee's minority staff at 202-224-2627.

We thank you and your staff in advance for your cooperation.

Sincerely,



Susan M. Collins
Chairman



Joseph I. Lieberman
Ranking Member